

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

UNITED STATES OF AMERICA

Case No. 7:94-cr-40106-4

v.

§ 2255 ORDER

PATRICK EARL FRANCIS,  
Petitioner.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

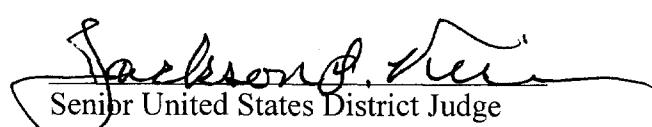
For the reasons stated in the accompanying Memorandum Opinion, it is hereby

**ORDERED**

that petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is  
**DISMISSED without prejudice as successive**, a certificate of appealability is **DENIED**, and  
the case is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion  
to petitioner.

ENTER: This 23<sup>d</sup> day of October, 2012.

  
Senior United States District Judge